

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re application of: DANIEL D. AUGER, MARY J. STEWART, GARY S. FENTON, STEVEN G. INGLESON-MACE, and DAVID P. THOMAS

Application No.: 10/609,171

Group No.: 3733

Filed: June 27, 2003

Examiner: Mary C. Hoffman

For: KIT, GUIDE & METHOD FOR LOCATING DISTAL FEMUR RESECTION PLANE

Commissioner for Patents

P.O. Box 1450

Alexandria, VA 22313-1450

INFORMATION DISCLOSURE STATEMENT

List of Sections Forming Part of This Information Disclosure Statement

The following sections are being submitted for this Information Disclosure Statement:

1. Preliminary Statements
2. Forms PTO/SB/08A and 08B (formerly Form PTO-1449)
3. Identification of Person(s) Making This Information Disclosure Statement

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**CERTIFICATION UNDER 37 C.F.R. §§ 1.8(a) and 1.10\***

*(When using Express Mail, the Express Mail label number is **mandatory**;  
Express Mail certification is optional.)*

I hereby certify that, on the date shown below, this correspondence is being filed electronically with Patent and Trademark Office.

/Stephen J. Manich/  
Signature

Date: February 1, 2007

Stephen J. Manich  
*(type or print name of person certifying)*

*\* Only the date of filing ( ' 1.6) will be the date used in a patent term adjustment calculation, although the date on any certificate of mailing or transmission under ' 1.8 continues to be taken into account in determining timeliness. See ' 1.703(f). Consider "Express Mail Post Office to Addressee" ( ' 1.10) or facsimile transmission ( ' 1.6(d)) for the reply to be accorded the earliest possible filing date for patent term adjustment calculations.*

### **Section 1. Preliminary statements**

Applicants submit herewith patents, publications or other information, of which they are aware that they believe may be material to the examination of this application, and in respect of which, there may be a duty to disclose.

The filing of this information disclosure statement shall not be construed as a representation that a search has been made (37 C.F.R. § 1.97(g)), an admission that the information cited is, or is considered to be, material to patentability, or that no other material information exists.

The filing of this information disclosure statement shall not be construed as an admission against interest in any manner. Notice of January 9, 1992, 1135 O.G. 13-25, at 25.

The document bearing the caption "Minimally Invasive Solution" is believed to have been published more than one year prior to 06/27/2003.

The following documents are admitted prior art: DePuy Orthopaedics Redacted Drawing Nos. 099846, 099810, 099811 and 099812.

### **Section 2. Forms PTO/SB/08A and 08B (formerly Form PTO-1449)**

PTO/SB/08A are attached.

### **Section 3. Identification of Person Making This Information Disclosure Statement**

The person making this certification is the practitioner who signs below on the basis of the information in the practitioner's file.

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